

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES GODSEY,

Plaintiff,

v.

**ELITE LABOR SERVICES, LTD. d/b/a
ELITE STAFFING, INC., and MENASHA
PACKAGING COMPANY, LLC,**

Defendant.

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Case: 1:23-cv-14708

Judge Lindsay C. Jenkins

JOINT INITIAL STATUS REPORT

This case has been assigned to the calendar of Judge Lindsay C. Jenkins. The parties are directed to meet pursuant to Federal Rule of Civil Procedure 26(f) and conduct a planning conference. The parties file this Joint Initial Status Report:

1. The Nature of the Case:

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Counsel for Defendant, Menasha Packaging Company, LLC

- A. The nature of this lawsuit arises under the Americans with Disabilities Act of 1990, as amended, (“ADA”) seeking redress for Defendants’ alleged discrimination on the basis of Plaintiff’s disability, Defendants’ alleged failure to accommodate Plaintiff’s Disability, and Defendants’ alleged retaliation against Plaintiff for engaging in a protected activity under the ADA.
 - B. Briefly identify the major legal and factual issues in the case.
 - (1) Legal Issues
 - Whether Plaintiff was employed by Defendant Menasha Packaging Company, LLC
 - Whether Plaintiff engaged in protected activity.
 - Whether Plaintiff had a disability under the ADA.
 - Whether Defendants failed to accommodate Plaintiff’s disability.
 - (2) Factual Issues
 - Whether Plaintiff was terminatedWhether Plaintiff requested an accommodation.
 - C. **State the relief sought by any of the parties.** Defendants seek dismissal of the Complaint andtheir reasonable costs and attorneys’ fees to the extent allowable by law.
2. **Jurisdiction:** Explain why the Court has subject matter jurisdiction over the plaintiff(s)’ claim(s).
- A. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1331. This action is authorized and instituted pursuant to 42 U.S.C. §12101 et seq. Venue of this action properly lies in the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. §1391(b) insofar as Defendants operates and transacts business in this judicial district and the events giving rise to Plaintiff’s claims occurred within this District.
3. **Status of Service:** Identify any defendants that have not been served.
- A. All Defendants have been served.
4. **Consent to Proceed Before a United States Magistrate Judge:** Counsel has advised the parties that they may proceed before a Magistrate Judge and they

consent unanimously.

5. **Motions:**

- A. **Briefly describe any pending motions.** None.
- B. **State whether the defendant(s) anticipate responding to the complaint by filing an Answer or by means of motion.** Defendants filed Answers on December 18, 2023.

6. **Case Plan:**

- A. Submit a proposal for a discovery plan, including the following information:
 - (1) **The general type of discovery needed:** The parties anticipate the need for written and oral discovery.
 - (2) **A date for Rule 26(a)(1) disclosures:** January 19, 2024
 - (3) **First date by which to issue written discovery:** January 26, 2024
 - (4) **A fact discovery completion date:** July 3, 2024
 - (5) **Expert Discovery Completion Date:** At this time, the parties are unsure as to whether they will require expert discovery
 - (6) **A date for the filing of dispositive motions:** August 9, 2024
- B. With respect to trial:
 - (1) Jury trial is requested; and
 - (2) Will take two (2) days.

7. **Status of Settlement Discussions:**

- A. Settlement discussions have occurred and are on-going;
- B. Plaintiff requests a settlement conference. Defendants do not believe a settlement conference is warranted at this time.

Respectfully submitted,

/s/Chad W. Eisenback

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*Counsel for Defendant,
Menasha Packaging
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 2024, a true and correct copy foregoing has been provided electronically via electronic mail and/or via U.S. mail to following:

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